

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Greenlight Capital, Inc., DME Capital
Management, LP,

Plaintiffs,

-vs.-

James T. Fishback,

Defendant.

**NOTICE OF PLAINTIFFS' MOTION
TO STRIKE DEFENDANT'S OFFER
OF JUDGMENT FROM THE
DOCKET**

No. 24-cv-04832-PAE

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, Plaintiffs, Greenlight Capital, Inc. and DME Capital Management, LP, through their attorneys, will move this Court before the Honorable Paul A. Engelmayer, at the Thurgood Marshall United States Courthouse for the Southern District of New York, 40 Foley Square, New York, NY 10007 on a date and at a time to be designated by the Court, for an Order striking the Offer of Judgment filed by Defendant, James T. Fishback on April 2, 2025, *see* ECF No. 33, from the docket in this matter pursuant to Federal Rule of Civil Procedure 68, and granting such other further relief as the Court deems just and proper.

New York, New York
Dated: April 16, 2025

Respectfully submitted,

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